

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF OKLAHOMA**

LAKESIHA THOMPSON, parent and next	)	
friend of H.L.T., a minor; and	)	
CHRYSTAL JENKINS, parent and next	)	
friend of P.J., a minor,	)	
	)	
Plaintiffs,	)	
	)	
v.	)	Case No. CIV-23-00411-JD
	)	
GREG HENKE; and INDEPENDENT	)	
SCHOOL DISTRICT NO. 52, Oklahoma	)	
County, Oklahoma, also known as Mid-Del	)	
School District,	)	
	)	
Defendants.	)	

**ORDER**

Defendant Independent School District No. 52 (“District”) filed a motion to dismiss Plaintiff’s first amended complaint [Doc. No. 22] under Federal Rule of Civil Procedure 12(b)(6).

With the Court’s leave, Plaintiff Lakesiha Thompson filed a second amended complaint [Doc. No. 33] under Rule 15(a)(2), which added Plaintiff Chrystal Jenkins, and “supersedes the [first amended complaint] and renders it of no legal effect.” *Davis v. TXO Prod. Corp.*, 929 F.2d 1515, 1517 (10th Cir. 1991). *See also Predator Int’l, Inc. v. Gamo Outdoor USA, Inc.*, 793 F.3d 1177, 1180–81 (10th Cir. 2015); *Mink v. Suthers*, 482 F.3d 1244, 1254 (10th Cir. 2007).

Consequently, the Court DENIES the District’s Motion to Dismiss [Doc. No. 22] as moot and without prejudice.

IT IS SO ORDERED this 16th day of November 2023.

A handwritten signature in black ink, appearing to read "Jodi W. Dishman", written over a horizontal line.

JODI W. DISHMAN  
UNITED STATES DISTRICT JUDGE